IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 23457 of 2007(P)

PETITIONER:

K.BABURAJ, S/O. LATE KARUNAKARAN NAIR,
GOVT.CONTRACTOR, NARAYANA MANDIRAM,
OORAMANA PO, MUVATTUPUZHA,
ERNAKULAM DISTRICT.

BY ADV. SRI.T.K.MARTHANDAN UNNITHAN

RESPONDENTS:

---

1. STATE OF KERALA REPRESENTED BY THE
SECRETARY, RURAL DEVELOPMENT,
GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

2. PRADHAN MANTHRI GRAM SADAK YOJANA(PMGSY)
FOR KERALA STATE REPRESENTED BY THE
SUPERINTENDING ENGINEER, KERALA STATE
RURAL DEVELOPMENT AGENCY, TC/24/507,
PANAVILA JUNCTION,THIRUVANANTHAPURAM-695 014.

3. THE SUPERINTENDING ENGINEER-COMPETENT
AUTHORITY UNDER THE PRADHAN MANTHRI GRAM
SADAK YOJANA (PMGSY) FOR CONSTRUCTION/MAINTENANCE,
PANAVILA JUNCTION,THIRUVANANTHAPURAM-695 014.

4. THE MEMBER SECRETARY, KERALA STATE
RURAL DEVELOPMENT AGENCY (ROADS),
PANAVILA JUNCTION, THIRUVANANTHAPURAM-695 014.

5. THE EXECUTIVE ENGINEER, POVERTY
ALLIVIATION UNIT, CIVIL STATION, KAKKANAD,
ERNAKULAM DISTRICT.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 23457 OF 2007 - P

Dated this the 1st day of August, 2007

J U D G M E N T

The petitioner is a contractor who has been awarded certain works under the Pradhana Manthri Gram Sadak Yojana for construction and maintenance of roads. Certain disputes have risen in respect of execution of the contract regarding which the petitioner has filed Ext.P5 to P7 representations before the third respondent. According to the petitioner, this contract is awarded on the basis of a scheme, which contemplates resolving of disputes by the competent authority, as per clause 24 of the rules relating to the scheme. The petitioner would submit that the third respondent is the competent authority designated as per the rules. The petitioner therefore seeks a direction to the third respondent to consider and pass appropriate orders on Exts.P5 to P7, expeditiously.

2. After hearing the learned Government Pleader also, I dispose of this writ petition with a direction to the

third respondent to consider and pass appropriate orders on Ext.P5 to P7 in exercise of his powers under the Scheme relating to the issue of the contract, as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

Sd/-

S. SIRI JAGAN,
Judge

Mbs/

-True Copy-

P.A. To Judge.

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007